

1714 U.S.P.T.O.  
03290410/813747  
2258PTO/SB/05 (01-04)  
Approved for use through 07/31/2006. OMB 0651-0032  
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032904

UTILITY  
PATENT APPLICATION  
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	A20-033CIP
First Inventor	SIMMONS, Paul et al.
Title	Mesenchymal Precursor
Express Mail Label No.	EV 332302924 US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:  
Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2.  Applicant claims small entity status.  
See 37 CFR 1.27.
3.  Specification [Total Pages 79]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.  Drawing(s) (35 U.S.C. 113) [Total Sheets 28]
5. Oath or Declaration [Total Sheets ]  
 a.  Newly executed (original or copy)
- b.  Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
  - i.  DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6.  Application Data Sheet. See 37 CFR 1.76

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a.  Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or
    - ii.  Paper
  - c.  Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9.  Assignment Papers (cover sheet & document(s))
10.  37 CFR 3.73(b) Statement  Power of (when there is an assignee) Attorney
11.  English Translation Document (if applicable)
12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15.  Certified Copy of Priority Document(s) (if foreign priority is claimed)
16.  Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17.  Other: Rule 1.41 Transmittal.....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

Continuation       Divisional       Continuation-in-part (CIP)      of prior application No.: 10/030,411.....

Prior application information: Examiner: n/a Art Unit: n/a  
For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

Customer Number: 28156      OR       Correspondence address below

Name			
Address			
City	State	Zip Code	
Country	Telephone	Fax	3002

Name (Print/Type)	Henry D. Coleman	Registration No. (Attorney/Agent)	32,559
Signature	3-29-04 03/29/04		

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

1714  
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PTO

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# FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27
TOTAL AMOUNT OF PAYMENT (\$ 1455<sup>00</sup>)

## Complete if Known

Application Number	N/A
Filing Date	1/26/04
First Named Inventor	SIMMONS et al.
Examiner Name	N/A
Art Unit	N/A
Attorney Docket No.	A20-033C1P

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None

 Deposit Account:

Deposit Account Number	04-0838
Deposit Account Name	COLMAN SUDOL SAPPONE

The Commissioner is authorized to: (check all that apply)

 Charge fee(s) indicated below  Credit any overpayments
   
 Charge any additional fee(s) during the pendency of this application
   
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 740	2001 370	Utility filing fee	385
1002 330	2002 165	Design filing fee	
1003 510	2003 255	Plant filing fee	
1004 740	2004 370	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)			385

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Fee from below	Fee Paid
Total Claims	118 -20** = 98	98 x 9 = 882
Independent Claims	4 - 3** = 1	1 x 43 = 43
Multiple Dependent		145 = 145

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)		1070

\*\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid
1051 130	2051 65			Surcharge - late filing fee or oath	
1052 50	2052 25			Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130			Non-English specification	
1812 2,520	1812 2,520			For filing a request for ex parte reexamination	
1804 920*	1804 920*			Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*			Requesting publication of SIR after Examiner action	
1251 110	2251 55			Extension for reply within first month	
1252 400	2252 200			Extension for reply within second month	
1253 920	2253 460			Extension for reply within third month	
1254 1,440	2254 720			Extension for reply within fourth month	
1255 1,960	2255 980			Extension for reply within fifth month	
1401 320	2401 160			Notice of Appeal	
1402 320	2402 160			Filing a brief in support of an appeal	
1403 280	2403 140			Request for oral hearing	
1451 1,510	1451 1,510			Petition to institute a public use proceeding	
1452 110	2452 55			Petition to revive - unavoidable	
1453 1,280	2453 640			Petition to revive - unintentional	
1501 1,280	2501 640			Utility issue fee (or reissue)	
1502 460	2502 230			Design issue fee	
1503 620	2503 310			Plant issue fee	
1460 130	1460 130			Petitions to the Commissioner	
1807 50	1807 50			Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180			Submission of Information Disclosure Stmt	
8021 40	8021 40			Recording each patent assignment per property (times number of properties)	
1809 740	2809 370			Filing a submission after final rejection (37 CFR 1.129(a))	
1810 740	2810 370			For each additional invention to be examined (37 CFR 1.129(b))	
1801 740	2801 370			Request for Continued Examination (RCE)	
1802 900	1802 900			Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

## SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Henry D. Colman	Registration No. (Attorney/Agent)	32,559	Telephone	203-366-8560
Signature	<i>Henry D. Colman</i>			Date	3/29/04

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(S) : SIMMONS, Paul; ZANNETTINO, Andrew; and  
GRONTHOS, Stan

APPLICATION NO. : Not Yet Assigned

DATE FILED : Herewith

FOR : MESENCHYMAL PRECURSOR CELL

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL UNDER 37 C.F.R. § 1.41**

SIR:

The undersigned attorney for applicants, Paul SIMMONS, Andrew ZANNETTINO and Stan GRONTHOS, hereby makes application for patent on behalf of said applicants.

Applicants respectively reside at:

55 Davis St., Kew, VIC 3101, Australia (Australian Citizen)  
1 Cypress Ct., Highbury, S.A. 5089, Australia (Australian Citizen)  
21 Light Pl., Colonel Light Gardens, S.A. 5041, Australia (Australian Citizen)

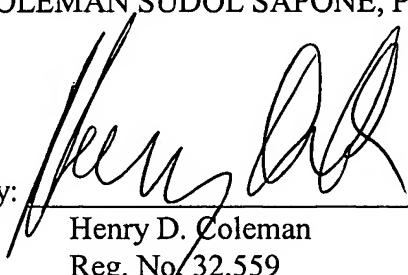
Please address all correspondence regarding this application to Henry D. Coleman at the following address:

COLEMAN SUDOL SAPONE, P.C.  
714 Colorado Avenue  
Bridgeport, CT 06605-1601

Kindly direct all telephone communications to Henry D. Coleman at (203) 366-3560.

Respectfully submitted,  
COLEMAN SUDOL SAPONE, P.C.

By:

  
Henry D. Coleman  
Reg. No. 32,559

Dated: March 29, 2004

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